

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

1:00 P.M.

FEBRUARY 18, 2003

PRESENT:

David Humke, Chairman*
Jim Shaw, Vice Chairman
Jim Galloway, Commissioner
Pete Sferrazza, Commissioner*
Bonnie Weber, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
John Rhodes, Deputy District Attorney

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

03-159 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Chairman Humke and Commissioner Sferrazza temporarily absent, Vice Chairman Shaw ordered that the agenda for the February 18, 2003 meeting be approved.

***1:14 p.m. Chairman Humke arrived at the meeting and assumed the gavel.**

PUBLIC COMMENTS

Tyrus Cobb, Northern Nevada Network, stated he submitted remarks regarding open space for the record at the joint meeting earlier this date and would submit the same remarks for the record of this meeting.

***1:16 p.m. Commissioner Sferrazza arrived at the meeting.**

Sam Dehne, Reno resident, addressed the Board, sang a song and played his guitar.

Gary Schmidt, Washoe County resident, discussed access to public records.

Mrs. Rutherford addressed the Board regarding services for low-income seniors and indigents. She stated her property is being held hostage for taxes.

MANAGER'S/COMMISSIONERS' COMMENTS

Reporting on activities of other Boards on which he serves, Commissioner Sferrazza stated the Truckee Meadows Water Authority (TMWA) staff is proposing a rate increase based on a \$30-million gap between revenues projected at the time TMWA was formed and what has actually occurred since that time. He also said there may be an opportunity for the County to insert information concerning the upcoming budget meetings in the TMWA bills and asked that the County take advantage of the opportunity if it is available.

Commissioner Sferrazza requested that a citizen suggestion to create an open space committee be explored. He also asked that staff explore the possibility of providing a "one-stop shop" for all of the services provided for seniors.

Commissioner Shaw reported there would be a future workshop on the Regional Transportation Commission Rapid Transit System down South Virginia Street, and he will let everyone know the date when it is scheduled.

03-160 INTRODUCTION OF NEW EMPLOYEES

Twenty-nine new Washoe County employees introduced themselves to the Board. Chairman Humke welcomed them to the County.

03-161 GENERAL FUND, CASH FLOW AND DEBT SERVICE SCHEDULES - FIVE MONTHS ENDED NOVEMBER 30, 2002 (UNAUDITED) - COMPTROLLER

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the General Fund, Cash Flow and Debt Service Schedules for the five months ended November 30, 2002 (unaudited) be accepted.

03-162 DISINTERMENT OF HUMAN REMAINS – HEALTH DEPARTMENT

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Request for Disinterment from Geraldine E. Jensen to disinter and remove the remains of Russell Jensen, her spouse, from the Masonic Memorial Gardens in Reno, Nevada, with the remains to be cremated and retained by Mrs. Jensen in Vancouver, Washington, be approved and Chairman Humke be authorized to sign the permit. It was noted that the cause of death was not due to a communicable disease.

03-163 ACCEPTANCE OF DONATIONS – LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that a donation of \$10,000.00 from library patron Virginia S. Bennett, to be deposited in the gift fund of the Downtown Reno Library, be accepted with the Board's gratitude. It was noted that revenue account 991751 and expenditure account 991751 would be increased accordingly.

03-164 ACCEPTANCE OF GRANT – LIBRARY

Upon recommendation of Nancy Cummings, Library Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the Nell J. Redfield Foundation Grant in the amount of \$122,500.00, to be applied toward funding of the Children's Area at the new South Valleys Library to be named the "Nell J. Redfield Young People's Library," be accepted with the Board's gratitude. It was noted that this amount would be funded over a period of three years and that revenue account 920894D-5802 and expenditure account 920894D-7880 would be increased accordingly.

**03-165 AWARD OF BID – POUR-IN-PLACE PLAYGROUND FALL
PROTECTION SURFACE - BID NO. 2367-03 – PARKS &
RECREATION**

This was the time to consider award of the bid for the pour-in-place playground fall protection surface for the Parks and Recreation Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on December 20, 2002. Proof was made that due and legal Notice had been given.

The following vendors submitted bids:

Robertson Industries, Inc.
No Fault Industries

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that Bid No. 2367-03 for pour-in-place playground fall protection surface on behalf of the Parks and Recreation Department be awarded to the low bidder, Robertson Industries, Inc., in the approximate amount of \$38,629.68.

It was further ordered that the County's option to obtain additional pour-in-place fall protection surfacing from Robertson Industries, Inc. through June 30, 2004, provided there is no increase in pricing, be acknowledged.

**03-166 AWARD OF BID – COLD SPRINGS PARK SHADE SHELTER
REPLACEMENT – PUBLIC WORKS**

This was the time to consider award of the bid for the Cold Springs Park Shade Shelter Replacement project for the Public Works Department.

The following bids were received in response to an informal bid solicitation:

Northern Sierra Construction	\$26,482.00
Gradex Construction Company	\$26,749.00
Sierra Builders of Nevada	\$37,840.00

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the bid for the Cold Springs Park Shade Shelter Replacement be awarded to the low bidder, Northern Sierra Construction, Inc., in the amount of \$26,482.00, and that Chairman Humke be authorized to execute the contract documents upon presentation.

**03-167 AWARD OF BID – BARTLEY RANCH IMPROVEMENTS –
PUBLIC WORKS**

This was the time to consider award of the bid for the Bartley Ranch Improvements project (PWP-WA-2003-086) for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on January 24, 29, and 31, 2003. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

CONTRACTOR	BASE BID	ADD ALT 1	ADD ALT 2	ADD ALT 3
GW Pacific Builders	\$ 97,976.00	\$4,182.00	\$19,745.00	\$2,175.00
Bison Construction	97,800.00	4,200.00	27,400.00	4,300.00
Building Solutions	88,597.00	2,685.00	22,432.00	2,647.00
Advance Installations	118,899.00	4,160.00	37,463.00	1,305.00
Gill Construction	86,735.00	4,400.00	26,800.00	4,300.00
K-7 Construction	96,184.00	4,984.00	25,776.00	6,090.00
Q & D Construction	108,652.00	3,484.00	35,927.00	2,795.00

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the bid for the Bartley Ranch Improvements be awarded to Gill Construction, the lowest responsible, responsive bidder for the base bid plus Add Alternate No. 1 in the amount of \$91,135.00 and that Chairman Humke be authorized to execute the contract documents upon presentation.

03-168 AWARD OF BID – RANCHO SAN RAFAEL BACKFLOW IMPROVEMENTS – PUBLIC WORKS

This was the time to consider award of the bid for the Rancho San Rafael Backflow Improvements project for the Public Works Department.

The following bids were received as a result of an informal bid solicitation:

Garden Shop Nursery Landscape Division	\$72,180.00
Gradex Construction	\$72,800.00
Kudu Construction	\$87,684.38
Mike's Trenching, Inc.	\$86,500.00

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the bid for the Rancho San Rafael Backflow Improvements be awarded to the Garden Shop Nursery Landscape Division, the lowest responsible, responsive bidder in the amount of \$72,180.00 and that Chairman Humke be authorized to execute the contract documents upon presentation.

03-169 FUNDING CONTRIBUTION AGREEMENT – STATE DIVISION OF WATER RESOURCES - HYDROLOGIC DATA COLLECTION IN NORTHERN NEVADA – WATER RESOURCES

Upon recommendation of the Regional Water Planning Commission, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Funding Contribution Agreement between Washoe County and the State Division of Water Resources concerning the Cooperative Water Resources Monitoring Program, at a total annual cost of \$33,425 invoiced quarterly, be approved and that Chairman Humke be authorized to execute the same. It was noted that the program monitors precipitation, daily stream flow and water level measurements at several locations in Washoe County

03-170 RESOLUTION – REQUESTING ATTORNEY GENERAL ASSISTANCE IN THE PROSECUTION OF A CERTAIN CRIMINAL MATTER – DISTRICT ATTORNEY

In response to Commissioner Sferrazza, Deputy District Attorney John Rhodes explained the potential conflict in the subject case. Upon recommendation of Maureen Sheppard-Griswold, Deputy District Attorney, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Humke be authorized to execute the Resolution on behalf of Washoe County:

RESOLUTION: Requesting the assistance of the Attorney General in the prosecution of a certain criminal matter.

WHEREAS, the Office of the District Attorney is responsible for the prosecution of criminal offenses which have occurred within the County of Washoe; and

WHEREAS, the District Attorney's Office has recently been called upon to determine whether to charge out and/or prosecute the case of State v. Tyler Yohey; and

WHEREAS, persons interested in the case were in possession of a motion to recuse the District Attorney's Office; and

WHEREAS, the District Attorney's Office is concerned that any determination made by the Office about the case regarding whether to charge out and/or prosecute the case could be viewed as being influenced by the possibility of being subject to a motion for recusal;

NOW THEREFORE, be it resolved by the Board of Commissioners of Washoe County as follows:

1. That in accordance with the provisions of NRS 228.130 the Nevada Attorney General is hereby requested to assume complete responsibility for the handling of the criminal prosecution relating to State v. Tyler Yohey.

2. That should the Attorney General agree to assume responsibility for the handling of the aforementioned case, the Comptroller of Washoe County will, upon submission of a duly verified claim, pay from the general fund of Washoe County all expenses that the Attorney General incurs in the prosecution of said case.

03-171 INTERFUND TRANSFER – ALTURAS MITIGATION FUND TO WATER RESOURCES FUND – FINANCE

Upon recommendation of Kim Carlson, Senior Fiscal Analyst, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that the following interfund transfer be approved and the Comptroller be directed to make the necessary budget and cash adjustments:

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
9960302-7880	Artificial Water Recharge-Alturas Fund		\$100,000
66812-7880	New Water Construction	\$100,000	
9960302-8166	Transfer to Water Resources Fund	\$100,000	
66812-6996000	Transfer from Alturas Mitigation Fund	\$100,000	

It was noted the Board previously approved the use of \$100,000 in Alturas Mitigation Funds from the Golden Valley/Panther Valley community for an Artificial

Water Recharge System Expansion and this action will move the appropriation authority and cash from the Alturas Mitigation Fund to the Water Resources Fund for proper accounting of expenditures.

03-172 RESOLUTION TO AUGMENT THE GOLF COURSE
ENTERPRISE FUND - RESTAURANT OPERATIONS – PARKS

Doug Doolittle, Parks Department, responded to Board questions advising this proposal is an interim solution to get the restaurant at the Sierra Sage Golf Course up and running since the previous operator passed away. He stated they would continue to look for other options including finding a new contractor.

Upon recommendation of Doug Doolittle and Rosemarie Entsminger, Parks Department, through Karen Mullen, Director, Parks Department, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Parks Department be authorized to resume direct operation of the Sierra Sage Golf Course Restaurant effective March 1, 2003. It was also ordered that the following Resolution augmenting the Golf Course Enterprise Fund be adopted and Chairman Humke be authorized to execute the same:

RESOLUTION
A RESOLUTION TO AUGMENT THE GOLF COURSE ENTERPRISE FUND
(FUND 068)

WHEREAS, the Golf Course Enterprise Fund will experience an increase in revenue and expenditures as a result of resuming direct operations of the Sierra Sage Golf Course Restaurant; and

WHEREAS, the Golf Course Enterprise Fund has insufficient expenditure budget appropriations to absorb the increased operations of the Sierra Sage Golf Course Restaurant, and revenues from operations are expected to generate sufficient revenue to cover costs;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA:

Section 1. That the budget of the Golf Course Enterprise Fund be augmented as follows:

Increase Revenues

068-6812-6461 (Food/Beverage) \$69,233

Increase Expenditures

068-6812-70021 (Seasonal staff) \$35,457

068-6812-7046 (Workers Comp)	2,725
068-6812-7047 (Unemployment Comp)	300
068-6812-7049 (Social Security)	2,287
068-6812-7050 (Medicare)	514
068-6812-7160 (R & M General)	500
068-6812-7166 (R & M Kitchen Equip)	500
068-6812-7191 (Fuel & Lube)	50
068-6812-7193 (Beverage Purchases)	10,000
068-6812-7194 (Food Purchases)	13,500
068-6812-7228 (Custodial Supplies)	800
068-6812-7239 (Kitchen Supplies)	200
068-6812-7245 (High Risk Supplies)	150
068-6812-7247 (Medical Supplies)	50
068-6812-7250 (Office Supplies)	25
068-6812-7277 (Uniforms)	500
068-6812-7307 (Auto Exp.)	150
068-6812-7304 (Advertising)	500
068-6812-7357 (Printing)	250
068-6812-7358 (Licenses/Permits)	150
068-6812-7382 (Telephone)	125
068-6812-7893 (Depreciation)	500

Total	<u>\$69,233</u>
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Section 2. This Resolution shall be effective on passage and approval.

Section 3. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Division.

03-173 AWARD OF BID – CONKLIN BUILDING ASBESTOS ABATEMENT – PUBLIC WORKS

This was the time to consider award of the bid for the Conklin Building Asbestos Abatement project on behalf of the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on January 22, 23, and 24, 2003. Proof was made that due and legal Notice had been given.

In response to Commissioner Shaw, Tom Gadd, Public Works Director, explained that funds were withheld from the purchase price when the building was purchased to pay for the asbestos abatement, so the sellers actually paid for the asbestos abatement. Chairman Humke asked when the building would be razed. Mr. Gadd advised he anticipates demolition to begin around the first of April.

Following is a summary of the bid results:

APC Contractors, Inc.	\$ 66,350.00
LVI Environmental	\$ 46,400.00
Advance Installations	\$ 62,425.50
Argus Contracting	\$156,669.00
PAS	\$118,500.00

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the bid for the Conklin Building Asbestos Abatement project be awarded to LVI Environmental of Nevada Inc, the lowest responsible, responsive bidder, in the amount of \$46,400.00 and that Chairman Humke be authorized to execute the contract documents upon presentation.

03-174 APPOINTMENTS – BOARD OF TRUSTEES - VERDI TELEVISION DISTRICT

Commissioner Galloway requested additional information concerning the Verdi Television District and the service it provides. He also asked how these recommended appointees were chosen. Katy Singlaub, County Manager, stated staff would have to provide that information at a later time. On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the appointments to the Board of Trustees of the Verdi Television District be continued to March 18, 2003.

03-175 EMPLOYEE/CITIZEN AWARDS – COUNTY SUGGESTION PROGRAM - FINANCE

Darin Conforti, Senior Fiscal Analyst, described two employee suggestions that have been recommended for award and recognition by the County Suggestion Program Committee. On motion by Commissioner Shaw, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following awards be granted and Chairman Humke be authorized to execute the Certificates of Recognition:

\$ 75.00 for Valerie Wade, Human Resources
\$271.00 for Debra Carr, Water Resources

03-176 LEGISLATIVE UPDATE

Joan Lambert, Lobbyist, reported the County's Public Guardian bill was introduced as AB151. She stated staff is seeking direction on AB29 and SB108, which are attempts to establish a more reliable funding source for the specialty courts, such as the drug and mental health courts, by way of an administrative assessment of \$15.00 on all defendants who plead guilty or are found guilty of a misdemeanor in the justice and

municipal courts. Chairman Humke expressed a concern about charging all defendants. Commissioner Sferrazza stated he would not support paying for these courts out of the general fund. Commissioner Galloway stated the State has to find a solution to funding the indigent medical care, drug court and mental health court. The consensus of the Board was that a reliable funding source for the specialty courts is very important, but the Commissioners were opposed to the proposed assessment on all defendants and were adamant about these courts not being funded by the County General Fund.

Ms. Lambert then discussed AB66, the salary bill for elected officials, and a bill draft request (BDR) concerning the City of Sparks doing its own redistricting by population rather than having the Registrar of Voters draw the lines by registered voters. She stated the Registrar is in favor of that proposal.

Gary Schmidt, Washoe County citizen, suggested the Commission should ask the Legislature to allow them to choose their own legal counsel.

03-177 APPEARANCE – DAN BURK, REGISTRAR OF VOTERS - HELP AMERICA VOTE ACT

Dan Burk, Registrar of Voters, presented an overview of the "Help America Vote Act of 2002," new Federal legislation governing elections, via a PowerPoint demonstration. He stated literally everything about conducting elections will change from the voting machines to the training of the poll workers, which will have significant impacts on Washoe County. Mr. Burk stated Federal funding is being provided, although part of it is not "free" as there are items the State will be required to do prior to the 2004 general election in order to qualify for the funds. Nevada should be receiving \$25-million, and the counties have to apply to the State for their share. He then reviewed the significant changes, such as development of a single, uniform, computerized statewide voter registration system; decertification of all punch-card and lever systems; establish standards for when a vote is to be counted; change the primary election date; establish a voter complaint procedure; provide access to all polling places for physically challenged and sight challenged voters; provide ballots and information in Spanish; and expand early voting opportunities and Internet services for voter access to information. Mr. Burk stated that ensuring the right of every voter to vote independently and in secrecy, with full access to every polling place, is of utmost importance.

Mr. Burk then discussed the potential for obtaining grant funds included in the legislation and the potential for obtaining a "Vote Mobile" as one way of expanding the early voting program. He described the difficulty of conducting elections with so many precincts and not enough poll workers and advised Washoe County will probably have to fight Clark County for its share of these Federal funds.

03-178

**LAW LIBRARY - 2001/02 ANNUAL REPORT -
REAPPOINTMENTS TO BOARD OF TRUSTEES**

Sandy Marz, Law Library Director, presented the Law Library Annual Report stating that more than 60 percent of Law Library users are non-attorneys, and are usually citizens doing their own divorce or having landlord-tenant problems. She discussed the "Lawyer in the Library" program and responded to questions from Board members.

Upon recommendation of Ms. Marz, on motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried, Chairman Humke ordered that the 2001-2002 Annual Report for the Law Library be accepted. It was also ordered that Bruce Beesley and Mary Ann McKibben be reappointed to the Law Library Board of Trustees and that staff be directed to report back to the Board concerning term limits.

03-179

**APPOINTMENT – E-911 EMERGENCY RESPONSE ADVISORY
COMMITTEE**

On motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that Lt. Steve Kelly be appointed to the E-911 Emergency Response Advisory Committee to fill the unexpired term of June 11, 2004 of Mr. Jim Lencioni who recently resigned. It was further ordered that Katy Singlaub, County Manager, draft a letter for the Board to sign expressing the Board's appreciation to Mr. Lencioni for his time, expertise and commitment to enhancing 911 services for the residents and visitors of Washoe County.

03-180

**APPOINTMENT – RANCHO SAN RAFAEL ADVISORY BOARD –
PARKS**

Katy Singlaub, County Manager, advised that the Rancho San Rafael Advisory Board positions were advertised in the *Reno Gazette-Journal* on December 27 and 30, 2002; and the letters from those interested in serving are attached to the staff report. She stated the recommendation is to reappoint two current at-large representatives for additional one-year terms and to appoint one new at-large member to a two-year term.

Commissioner Sferrazza stated he disagrees with that recommendation because the Board previously discussed forming a committee to interview applicants and make the recommendation for appointments. Commissioner Galloway stated he and Commissioner Sferrazza were appointed as the committee to screen the applicants.

Karen Mullen, Parks and Recreation Director, stated there is a list and suggested continuing this matter. Commissioners Galloway and Sferrazza stated they would be available to interview applicants this week. Commissioner Weber expressed her interest in serving on the committee.

On motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Humke ordered that Commissioner Weber be appointed to the interview committee to screen applicants for appointment to the Rancho San Rafael Advisory Board and that the committee present their recommendations for the March 18, 2003 meeting.

**03-181 BUDGET TRANSFER AND APPROVAL OF PURCHASE
REQUISITION FOR COMPUTER SOFTWARE – DISTRICT
HEALTH**

Upon recommendation of Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Humke ordered that the following actions be taken:

1. The Comptroller be directed to make the following budget transfer to cover the cost of upgrading 21 personal computers to run the new software application, contingent upon the District Board of Health ratifying the Purchase Agreement and Maintenance Agreement between Washoe County District Health Department and QS Technologies, Incorporated for the purchase of Clinic Database Software at their February 26, 2003 meeting; and

2. An FY 02/03 purchase requisition over \$25,000 for the purchase of computer software, contingent upon the District Board of Health ratifying the Purchase Agreement and Maintenance Agreement between Washoe County District Health Department and QS Technologies be approved.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
920605-7236	Health Clinic Management System	\$6,453.00	
9202999-7879	General Government Undesignated		\$6,453.00

**03-182 LEASE AGREEMENT – PEAVINE LIBRARY BRANCH SPACE –
MERCEY SPRINGS 152 PARTNERS LLC – PUBLIC WORKS**

Commissioner Galloway noted this is a considerable amount of money for leased space and asked if any consideration is being given to replacing this lease with a County-owned building. Tom Gadd, Public Works Director, explained this facility is in a shopping center, and there is no possibility of purchasing the space. Commissioner Galloway suggested building a facility should be investigated and recalled the County owns property close by.

Nancy Cummings, Library Director, confirmed that the County does own approximately 1.3 acres on Golden Valley Road. Commissioner Galloway asked if the Library has done a cost-benefit comparison between leasing and building a facility. Ms. Cummings stated that has not been done. Commissioner Galloway asked that staff do

that study before this lease expires. Commissioner Sferrazza concurred noting that staff was previously directed to examine all leases from the standpoint of leasing versus owning.

Upon recommendation of Jean Ely, General Services Division Director through Tom Gadd, Public Works Director, on motion Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the lease agreement between Washoe County (lessee) and Mercey Springs 152 Partners, LLC, (lessor) concerning continuous occupancy of the Peavine Branch Library from January 1, 2003 through April 30, 2006, with an option to renew for an additional 24-months, be approved subject to the inclusion of a funding-out clause in the event the County buys or builds a library facility serving essentially the same needs. It was further ordered that Chairman Humke be authorized to execute the agreement after Legal Counsel has verified the funding-out clause.

03-183 2002 REGIONAL PLAN SETTLEMENT AGREEMENT

Adrian Freund, Director, Department of Community Development, updated the Board concerning the latest developments on the 2002 Regional Plan Settlement Agreement. He stated staff has drafted ordinances for the criteria to be used in cooperative planning areas and the adjacency criteria, which are currently being reviewed by Assistant District Attorney Madelyn Shipman. Mr. Freund also reported that Judge Hardesty has extended the deadline to February 27th.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

03-184 COMMUNICATIONS:

A. Copy of the letter dated January 22, 2003 from NDOT to Frehner Construction Co., Inc. returning their bid bond and advising them that Contract No. 3138, Project Nos. SPSR-0428(002) and SPSR-0429(003), on SR 428, East Lake Boulevard from SR 429, Bowers Mansion Road, under US 395, 0.199 kilometers and on SR 429, Bowers Mansion Road, near Hobart to near US 395, Washoe County, Frehner Construction Co., Inc., Contractor, has been completely executed and a satisfactory bond furnished and approved. (documents forwarded to Public Works)

B. Copy of the letter dated January 22, 2003 from NDOT to Sierra Nevada Construction, Inc. returning their bid bond and advising them that Contract No. 3141, Project No. SPFR-WA16(001), on FR WA16, south side of I-80, near the Tracey Clark Station Interchange, at Structure B-650, Washoe County, Sierra Nevada Construction, Inc., Contractor, has been completely executed and a satisfactory bond furnished and approved. (documents forwarded to Public Works)

C. Original fully executed Agreement between Pavich & Associates, Inc. and Altmann Construction & Development, Inc., Pembroke Drive Properties, Barker Investments and Dalton & Juanita LaRue and Washoe County deferring the processing of a Tentative Subdivision Map. (BCC Item No. 00-251)

D. Original executed Assignment and Assumption of Agreement for Reclaimed Water Service between Golf Vision Development LLC (Assignor) and Wolf Run Management LLC, (Assignee) assigning unto Assignee all of the Assignor's right, title and interest in and to that certain Agreement for Reclaimed Water Service by Washoe County to Wolf Run Golf Course dated March 28, 2000. (BCC Item No. 00-942)

E. Memo dated December 24, 2002 from Jim Smitherman, Water Management Planner Coordinator, through Jeanne Ruefer, Water Resources Planning Manager, to Steve Bradhurst, Director, Department of Water Resources, whereby the Regional Water Planning Commission recommends approval and execution of a Professional Services Agreement, not-to-exceed \$24,410, for Kennedy/Jenks Consultants to provide Regional Water Management Plan update sections on the water conveyance ditch systems and the Stormwater Quality Management Program and original executed Agreement for Consulting Engineering Services concerning the same.

F. Letter dated December 30, 2002 and Landowner Notification Packet from Paiute Pipeline Company (Paiute) notifying Washoe County that Paiute has filed an application with the Federal Energy Regulatory Commission for authorization to construct and operate new facilities in the Nevada Counties of Washoe, Lyon, Carson City and Douglas. (forwarded to the Washoe County District Attorney and Community Development)

G. Memo dated November 16, 1995 from Assistant District Attorney Madelyn Shipman to Washoe County Board of Commissioners reviewing Federal Land Exchange Agreement and Adoption of Resolution Declaring Intent to Exchange Lands; unsigned Exchange Agreement between American Land Conservancy (ALC) and Washoe County; copy of executed Exchange Agreement between American Land Conservancy and Washoe County with changes on page 1, section B; copy of executed Resolution Declaring the Board of County Commissioners of Washoe County's Acceptance of the Exchange of Properties with the United States Government and Authorization for Chairman to Execute Documents Effectuating said Exchange; copy of executed Resolution Declaring the Board of County Commissioners of Washoe County's Intent to Exchange Certain Properties with the United States Government; and copies of two executed Grant, Bargain and Sale Deeds relating to the exchange of property between Washoe County and ALC. (BCC Item Nos. 95-1096 and 96-10)

**03-185 REPORTS – ANNUAL FINANCIAL STATEMENTS FOR FISCAL
YEAR ENDED JUNE 30, 2002**

- A. City of Sparks
- B. Truckee Meadows Water Reclamation Facility

03-186 REPORTS – QUARTERLY (DECEMBER 31, 2002)

- A. Justice Court – Incline Village-Crystal Bay Township
- B. Constable – Incline Village/Crystal Bay Township
- C. Washoe County Sheriff
- D. Court Clerk
- E. Washoe County Clerk

03-187 REPORTS – MONTHLY (DECEMBER 2002)

- A. Grand View Terrace General Improvement District (six months
7/1/02 – 12/31/02)
- B. Washoe County Clerk
- C. Washoe County Treasurer
- D. Washoe County Animal Control
- E. Court Clerk

* * * * *

There being no further business to come before the Board, the meeting adjourned at 4:10 p.m.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Sharon Gotchy, Deputy County Clerk*